



Reprinted  
March 25, 2009

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## ENGROSSED SENATE BILL No. 126

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DIGEST OF SB 126 (Updated March 24, 2009 6:13 pm - DI 109)

**Citations Affected:** IC 20-24; IC 20-30.

**Synopsis:** Financial responsibility curriculum. Requires public schools, charter schools, and accredited nonpublic schools to provide instruction in personal financial responsibility to students in grades 6 through 12 under standards adopted by the state board of education. Allows up to six half days when students are dismissed for staff professional development activities to count as student instructional days for purposes of the required 180 day school year under certain circumstances. Allows a school corporation to dismiss students in grades 1 through 6 for up to ten hours and students in grades 7 through 12 for up to twelve hours within a school year for the purpose of conducting parent-teacher conferences under certain conditions. Requires the department of education to grant a school corporation a waiver of penalty for cancelling student instructional days due to inclement weather under certain conditions.

**Effective:** July 1, 2009.

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**Waltz, Lubbers, Sipes, Stutzman,  
Kruse, Landske, Zakas, Buck**  
(HOUSE SPONSORS — PORTER, RUPPEL, BELL, ROBERTSON)

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January 7, 2009, read first time and referred to Committee on Education and Career Development.

January 15, 2009, amended, reported favorably — Do Pass.

January 26, 2009, read second time, amended, ordered engrossed.

January 27, 2009, engrossed. Senate Rule 33(c) Technical Correction adopted.

February 5, 2009, read third time, passed. Yeas 47, nays 2.

HOUSE ACTION

February 25, 2009, read first time and referred to Committee on Rules and Legislative Procedures.

March 2, 2009, reassigned to Committee on Education.

March 19, 2009, reported — Do Pass.

March 24, 2009, read second time, amended, ordered engrossed.

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ES 126—LS 6333/DI 109+



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March 25, 2009

First Regular Session 116th General Assembly (2009)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2008 Regular Session of the General Assembly.

## ENGROSSED SENATE BILL No. 126

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A BILL FOR AN ACT to amend the Indiana Code concerning education.

*Be it enacted by the General Assembly of the State of Indiana:*

- 1 SECTION 1. IC 20-24-8-5, AS AMENDED BY P.L.2-2006,  
2 SECTION 111, IS AMENDED TO READ AS FOLLOWS  
3 [EFFECTIVE JULY 1, 2009]: Sec. 5. The following statutes and rules  
4 and guidelines adopted under the following statutes apply to a charter  
5 school:  
6 (1) IC 5-11-1-9 (required audits by the state board of accounts).  
7 (2) IC 20-39-1-1 (unified accounting system).  
8 (3) IC 20-35 (special education).  
9 (4) IC 20-26-5-10 and IC 20-28-5-9 (criminal history).  
10 (5) IC 20-26-5-6 (subject to laws requiring regulation by state  
11 agencies).  
12 (6) IC 20-28-7-14 (void teacher contract when two (2) contracts  
13 are signed).  
14 (7) IC 20-28-10-12 (nondiscrimination for teacher marital status).  
15 (8) IC 20-28-10-14 (teacher freedom of association).  
16 (9) IC 20-28-10-17 (school counselor immunity).  
17 (10) For conversion charter schools only, IC 20-28-6, IC 20-28-7,

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- 1 IC 20-28-8, IC 20-28-9, and IC 20-28-10.  
 2 (11) IC 20-33-2 (compulsory school attendance).  
 3 (12) IC 20-33-3 (limitations on employment of children).  
 4 (13) IC 20-33-8-19, IC 20-33-8-21, and IC 20-33-8-22 (student  
 5 due process and judicial review).  
 6 (14) IC 20-33-8-16 (firearms and deadly weapons).  
 7 (15) IC 20-34-3 (health and safety measures).  
 8 (16) IC 20-33-9 (reporting of student violations of law).  
 9 (17) IC 20-30-3-2 and IC 20-30-3-4 (patriotic commemorative  
 10 observances).  
 11 (18) IC 20-31-3, IC 20-32-4, IC 20-32-5, IC 20-32-6, IC 20-32-8,  
 12 or any other statute, rule, or guideline related to standardized  
 13 testing (assessment programs, including remediation under the  
 14 assessment programs).  
 15 (19) IC 20-33-7 (parental access to education records).  
 16 (20) IC 20-31 (accountability for school performance and  
 17 improvement).  
 18 **(21) IC 20-30-5-19 (personal financial responsibility**  
 19 **instruction).**

20 SECTION 2. IC 20-30-2-3, AS ADDED BY P.L.1-2005, SECTION  
 21 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1,  
 22 2009]: Sec. 3. **(a)** For each school year, a school corporation shall  
 23 conduct at least one hundred eighty (180) student instructional days.  
 24 Not later than June 15 of each school year, the superintendent of each  
 25 school corporation shall certify to the department the number of student  
 26 instructional days conducted during that school year. **For purposes of**  
 27 **certifying the number of student instructional days conducted by**  
 28 **a school corporation during a school year, a day on which the**  
 29 **school corporation dismisses students for the purpose of**  
 30 **conducting parent-teacher conferences under subsection (b) or**  
 31 **releases students to conduct program and professional**  
 32 **development activities under subsection (c) is considered to be a**  
 33 **student instructional day.**

34 **(b) If a school corporation's calendar includes at least:**

- 35 **(1) nine hundred ten (910) hours of instruction time for**  
 36 **students in grades 1 through 6; and**  
 37 **(2) one thousand ninety-two (1,092) hours of instructional**  
 38 **time for students in grades 7 through 12;**

39 **the school corporation may dismiss students in grades 1 through 6**  
 40 **for not more than ten (10) hours during the school year and may**  
 41 **dismiss students in grades 7 through 12 for not more than twelve**  
 42 **(12) hours during the school year for the purpose of conducting**

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parent-teacher conferences. Students may not be dismissed under this subsection for a full day for the purpose of conducting parent-teacher conferences.

(c) If a school corporation's calendar for a school year includes at least:

(1) nine hundred forty-five (945) hours of instructional time for students in grades 1 through 6 and one thousand one hundred thirty-four (1,134) hours of instructional time for student in grades 7 through 12; and

(2) one hundred eighty (180) student instructional days are convened during the school year;

the school corporation may release students for not more than six (6) one-half (1/2) days during the school year to conduct program and professional development activities. Students may not be dismissed for a full day under this subsection for the purpose of conducting program or professional development activities.

SECTION 3. IC 20-30-2-5, AS ADDED BY P.L.1-2005, SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 5. (a) The department may grant a waiver of the penalty imposed under section 4 of this chapter for a particular number of canceled student instructional days if:

(1) the school corporation applies to the department for a waiver of the penalty imposed under section 4 of this chapter for a specific number of canceled student instructional days; and

(2) each of the particular number of student instructional days requested to be waived under this section was canceled due to extraordinary circumstances.

(b) The department shall grant a school corporation a waiver of the penalty imposed under section 4 of this chapter for cancelling student instructional days due to inclement weather according to the following:

(1) If the school corporation cancels at least six (6) days but less than eight (8) days during a school year, the department shall grant a waiver for all but five (5) of the cancelled days.

(2) If the school corporation cancels at least eight (8) days but less than eleven (11) days during a school year, the department shall grant a waiver for all but six (6) of the cancelled days.

(3) If the school corporation cancels at least eleven (11) days but less than fourteen (14) days during a school year, the department shall grant a waiver for all but seven (7) of the cancelled days.

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(4) If the school corporation cancels at least fourteen (14) days but less than seventeen (17) days during a school year, the department shall grant a waiver for all but eight (8) of the cancelled days.

(5) If the school corporation cancels at least seventeen (17) days but less than twenty (20) days during a school year, the department shall grant a waiver for all but nine (9) of the cancelled days.

(6) If the school corporation cancels at least twenty (20) days but less than twenty-three (23) days during a school year, the department shall grant a waiver for all but ten (10) of the cancelled days.

(c) If a school corporation cancels more than twenty-two (22) student instructional days during a school year due to inclement weather, the department may grant a waiver of the penalty imposed under section 4 of this chapter for more cancelled student instruction days than the number for which a waiver must be granted under subsection (b)(6) if the school corporation complies with subsection (a).

(d) The department shall consider the following factors in determining whether extraordinary circumstances justify granting a waiver under subsection (a) or subsection (c):

(1) The reason or reasons for not making up the cancelled instructional days.

(2) The length and amount of instructional time in the school calendar.

(3) The reason or reasons for cancelling the instructional days.

(4) The dates on which the cancellations occurred.

(5) The number of cancelled instructional days.

(6) The number of schools affected.

SECTION 4. IC 20-30-5-19 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 19. (a) Each school corporation, charter school, and accredited nonpublic school shall include in its curriculum for all students in grades 6 through 12 instruction concerning personal financial responsibility.

(b) A school corporation, a charter school, and an accredited nonpublic school may meet the requirements of subsection (a) by:

(1) integrating, within its curriculum, instruction; or

(2) conducting a seminar;

that is designed to foster overall personal financial responsibility.

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- 1           (c) The state board shall adopt a curriculum that ensures  
2           personal financial responsibility is taught:  
3           (1) in a manner appropriate for each grade level; and  
4           (2) as a separate subject or as units incorporated into  
5           appropriate subjects;  
6           as determined by the state board.

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## COMMITTEE REPORT

Madam President: The Senate Committee on Education and Career Development, to which was referred Senate Bill No. 126, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 2, line 22, delete "corporation (including each" and insert **"corporation,"**.

Page 2, line 23, delete "school)" and insert **"school,"**.

Page 2, line 23, delete "each".

Page 2, line 23, delete "that voluntarily has".

Page 2, line 24, delete "become accredited under IC 20-19-2-8".

Page 2, line 25, delete "grades 9" and insert **"kindergarten"**.

Page 2, line 25, after "through" insert **"grade"**.

Page 2, line 27, delete "corporation (including" and insert **"corporation,"**.

Page 2, line 27, delete "school)" and insert **"school,"**.

Page 2, line 28, delete "that voluntarily has become accredited under".

Page 2, line 29, delete "IC 20-19-2-8".

Page 2, delete lines 33 through 36.

Page 2, line 37, delete "(d)" and insert **"(c)"**.

Page 2, line 37, delete "department" and insert **"state board"**.

Page 2, line 37, delete "develop guidelines and the state board" and insert **"adopt a curriculum that ensures personal financial responsibility is taught:**

**(1) in a manner appropriate for each grade level; and**

**(2) as a separate subject or as units incorporated into appropriate subjects;**

**as determined by the state board."**

Page 2, delete lines 38 through 39.

and when so amended that said bill do pass.

(Reference is to SB 126 as introduced.)

LUBBERS, Chairperson

Committee Vote: Yeas 9, Nays 0.

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## SENATE MOTION

Madam President: I move that Senate Bill 126 be amended to read as follows:

Page 2, line 22, after "and" insert "**accredited**".

Page 2, line 26, before "nonpublic" insert "**an accredited**".

(Reference is to SB 126 as printed January 16, 2009.)

WALTZ

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 COMMITTEE REPORT

Madam President: The Senate Committee on Rules and Legislative Procedure reports that pursuant to Senate Rule 33(c), the following technical correction is to be made to Engrossed Senate Bill 126.

Page 2, line 26, after "and" delete "a".

LONG, Chairperson

(Reference is to ESB 126 as reprinted January 27, 2009.)

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 COMMITTEE REPORT

Mr. Speaker: Your Committee on Education, to which was referred Senate Bill 126, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 2, line 24, delete "kindergarten through grade" and insert "**grades 6 through**".

Page 2, line 26, after "and" delete "a".

and when so amended that said bill do pass.

(Reference is to SB 126 as reprinted January 27, 2009.)

OXLEY, Chair

Committee Vote: yeas 11, nays 0.

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## HOUSE MOTION

Mr. Speaker: I move that Engrossed Senate Bill 126 be amended to read as follows:

Page 2, between lines 19 and 20, begin a new paragraph and insert:  
 "SECTION 2. IC 20-30-2-3, AS ADDED BY P.L.1-2005, SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 3. **(a)** For each school year, a school corporation shall conduct at least one hundred eighty (180) student instructional days. Not later than June 15 of each school year, the superintendent of each school corporation shall certify to the department the number of student instructional days conducted during that school year. **For purposes of certifying the number of student instructional days conducted by a school corporation during a school year, a day on which the school corporation dismisses students for the purpose of conducting parent-teacher conferences under subsection (b) or releases students to conduct program and professional development activities under subsection (c) is considered to be a student instructional day.**

**(b) If a school corporation's calendar includes at least:**

- (1) nine hundred ten (910) hours of instruction time for students in grades 1 through 6; and**
- (2) one thousand ninety-two (1,092) hours of instructional time for students in grades 7 through 12;**

**the school corporation may dismiss students in grades 1 through 6 for not more than ten (10) hours during the school year and may dismiss students in grades 7 through 12 for not more than twelve (12) hours during the school year for the purpose of conducting parent-teacher conferences. Students may not be dismissed under this subsection for a full day for the purpose of conducting parent-teacher conferences.**

**(c) If a school corporation's calendar for a school year includes at least:**

- (1) nine hundred forty-five (945) hours of instructional time for students in grades 1 through 6 and one thousand one hundred thirty-four (1,134) hours of instructional time for student in grades 7 through 12; and**
- (2) one hundred eighty (180) student instructional days are convened during the school year;**

**the school corporation may release students for not more than six (6) one-half (1/2) days during the school year to conduct program and professional development activities. Students may not be dismissed for a full day under this subsection for the purpose of**

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**conducting program or professional development activities.**

SECTION 3. IC 20-30-2-5, AS ADDED BY P.L.1-2005, SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 5. **(a)** The department may grant a waiver of the penalty imposed under section 4 of this chapter for a particular number of canceled student instructional days if:

- (1) the school corporation applies to the department for a waiver of the penalty imposed under section 4 of this chapter for a specific number of canceled student instructional days; and
- (2) each of the particular number of student instructional days requested to be waived under this section was canceled due to extraordinary circumstances.

**(b) The department shall grant a school corporation a waiver of the penalty imposed under section 4 of this chapter for cancelling student instructional days due to inclement weather according to the following:**

- (1) If the school corporation cancels at least six (6) days but less than eight (8) days during a school year, the department shall grant a waiver for all but five (5) of the cancelled days.
- (2) If the school corporation cancels at least eight (8) days but less than eleven (11) days during a school year, the department shall grant a waiver for all but six (6) of the cancelled days.
- (3) If the school corporation cancels at least eleven (11) days but less than fourteen (14) days during a school year, the department shall grant a waiver for all but seven (7) of the cancelled days.
- (4) If the school corporation cancels at least fourteen (14) days but less than seventeen (17) days during a school year, the department shall grant a waiver for all but eight (8) of the cancelled days.
- (5) If the school corporation cancels at least seventeen (17) days but less than twenty (20) days during a school year, the department shall grant a waiver for all but nine (9) of the cancelled days.
- (6) If the school corporation cancels at least twenty (20) days but less than twenty-three (23) days during a school year, the department shall grant a waiver for all but ten (10) of the cancelled days.

**(c) If a school corporation cancels more than twenty-two (22) student instructional days during a school year due to inclement weather, the department may grant a waiver of the penalty**

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imposed under section 4 of this chapter for more cancelled student instruction days than the number for which a waiver must be granted under subsection (b)(6) if the school corporation complies with subsection (a).

(d) The department shall consider the following factors in determining whether extraordinary circumstances justify granting a waiver under subsection (a) or subsection (c):

- (1) The reason or reasons for not making up the cancelled instructional days.
- (2) The length and amount of instructional time in the school calendar.
- (3) The reason or reasons for cancelling the instructional days.
- (4) The dates on which the cancellations occurred.
- (5) The number of cancelled instructional days.
- (6) The number of schools affected."

Renumber all SECTIONS consecutively.

(Reference is to ESB 126 as printed March 20, 2009.)

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